UNITED
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General Assembly

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A/50/132
10 April 1995

ORIGINAL: ENGLISH

Fiftieth session
Item 12 of the preliminary list*

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

United Nations Population Award

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Executive Director of the United Nations Population Fund on the United Nations Population Award, established by the Assembly in its resolution 36/201 of 17 December 1981. The report, which covers 1995, was prepared in accordance with Economic and Social Council decision 1982/112 of 26 April 1982 (see annex).

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ANNEX

Report on the United Nations Population Award (1995)

I. INTRODUCTION

1. The General Assembly adopted a resolution (36/201) on 17 December 1981 entitled "Establishment of the United Nations Population Award". The Award is presented annually to an individual or individuals, to an institution or institutions or to any combination thereof, for the most outstanding contribution to increasing the awareness of population questions or to their solutions.

2. The laureate(s) is selected by the Committee for the United Nations Population Award. The Committee is composed of representatives of 10 States Members of the United Nations, elected by the Economic and Social Council for a period of three years.

3. In 1994, the Economic and Social Council selected the following countries to serve on the Committee for a period of three years beginning in January 1995: Belarus, Burundi, Cameroon, El Salvador, Guatemala, India, Japan, Netherlands, Philippines and Zaire. The Secretary-General and the Executive Director of the United Nations Population Fund (UNFPA) serve as ex officio members. The Executive Director of UNFPA acts as the Secretary of the Committee. The Award consists of a diploma, a gold medal and a monetary prize.

4. On 5 December 1986, the General Assembly, during its forty-first session, amended article 2, paragraph 1, of the annex to resolution 36/201 so that an individual and an institution may share the Award (General Assembly decision 41/445).

5. On 26 May 1987, the Economic and Social Council amended the rules of procedure of the Committee for the United Nations Population Award accordingly (Council decision 1987/129).

6. In January 1995, the Committee elected H.E. Mr. Nicolaas H. Biegman (the Netherlands) as Chairman.

7. The following four eminent individuals served as honorary members in an advisory capacity to the Committee: Mr. Takeo Fukuda, former Prime Minister of Japan; Mr. Miguel de la Madrid Hurtado, former President of Mexico; Mrs. Victoria Sekitoleko, Minister of Agriculture, Animal Industry and Fisheries of the Republic of Uganda; and Mrs. Robin Chandler Duke, Chairperson of Population Action International.

II. THE 1995 UNITED NATIONS POPULATION AWARD

8. A total of 11 nominations were received for the 1995 United Nations Population Award from qualified nominators. After a thorough review of the nominations, and taking into account the views offered by the honorary members, the Committee for the United Nations Population Award selected Dr. Halfdan Mahler of Denmark and the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children as the 1995 laureates.

9. Dr. Halfdan Mahler of Denmark was chosen by the Committee for his distinguished career in public health which has included strong leadership in reproductive health, family planning and world-wide population issues. He served as Director-General of the World Health Organization (WHO) from 1973 until 1988. In that capacity, he established the Special Programme of Research, Development and Research Training in Human Reproduction (HRP) which mobilized the scientific and health community in a global partnership to help developing countries to meet the health needs of the populations, particularly in the field of fertility regulation. Under his leadership, WHO promoted the concept of primary health care with family planning and reproductive health as important components. Since 1989, he has been Secretary-General of the International Planned Parenthood Federation (IPPF). He has made significant contributions to increasing public awareness of health and population questions and to improving reproductive health/family planning programmes. He played an important role in the 1994 International Conference on Population and Development, including the preparatory meetings, and has helped to shape the new global consensus which emerged from those meetings.

10. The Inter-African Committee on Traditional Practices Affecting the Health of Women and Children (IAC), an Ethiopia-based non-governmental organization, was chosen for its efforts to create the social, cultural and public health conditions that allow women to exercise their reproductive rights, including the practice of family planning. IAC was founded in Senegal in 1984 to fight traditional practices that are harmful to the health of women and children, especially female genital mutilation. Since then active national committees have been established in 23 African countries. These committees have sponsored a number of activities including workshops, media talks, and training for nurses and traditional birth attendants. IAC conducts research and encourages programmes to combat harmful traditional practices relating to pregnancy and delivery, social and nutritional taboos, early childhood marriages and teenage pregnancy. The organization also promotes traditional practices such as prolonged breast-feeding and baby massage which are beneficial to the health of women and children.

III. FINANCIAL MATTERS

11. As at 1 January 1994, the Trust Fund had a total of $624,712. Income from interest was $43,601. Expenditures in 1994, including the prizes, totalled $38,235. The closing balance as at 31 December 1994 totalled $630,078.

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10 April 1995

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GENERAL ASSEMBLY
Fiftieth session
Item 149 of the preliminary list*
MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 10 April 1995 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the grave acts of terrorism committed by Palestinian terrorists yesterday, in which 7 Israeli citizens and 1 American citizen were killed and 61 people were wounded. The following are the details of the attacks:

(a) On 9 April 1995, a Palestinian terrorist driving a commercial vehicle loaded with explosives and gas canisters parked in a field along a main highway near Kfar Darom in the Gaza Strip. There, he waited for an Israeli vehicle to approach. At approximately 11.45 a.m., upon discerning public transportation bus No. 36 from Ashkelon to Kfar Darom, the terrorist pulled alongside the bus and detonated his vehicle;

(b) Eight passengers in the bus were killed and 52 were wounded, one of whom is listed in critical condition;

(c) Agence France Presse said it received a telephone call approximately two hours after the attack from the fundamentalist organization Islamic Jihad, which claimed responsibility for the attack. The Islamic Jihad also circulated leaflets in the Nusirat refugee camp in the Gaza Strip, praising the terrorist who committed the attack;

(d) At 1.50 p.m., approximately two hours after the attack near Kfar Darom, a Palestinian driving a Fiat 131 loaded with explosives crashed into an Israeli jeep at the Netzarim Junction in the Gaza Strip. The jeep was the second vehicle in a five-vehicle convoy;

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(e) Nine Israelis were wounded in the attack, including the two individuals riding in the jeep which was struck;

(f) The fundamentalist organization Hamas claimed responsibility for the attack, which it said was carried out by one of its members from the Gaza Strip.

Since the signing of the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560) with the Palestine Liberation Organization on 13 September 1993, 125 Israelis have been killed by Palestinian terrorists in 52 separate attacks, most committed by Islamic fundamentalist organizations which receive support and guidance from like-minded States in the region, especially the Islamic Republic of Iran.

Following yesterday's attacks, Israeli Prime Minister Yitzhak Rabin said, "I have no doubt that the objective of the Hamas and the Islamic Jihad is to kill Israelis and Palestinians in order to murder the peace. ... The Palestinian Authority must prove that it can act against these groups."

These grievous acts of violence demand unequivocal condemnation on the part of the international community. Israel calls upon the parties in the region and the entire international community to cooperate in combating the terrorist threat posed by groups such as Hamas and Islamic Jihad, and their supporters and sponsors.

Israel, for its part, will not be swayed from its commitment to peace.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 149 of the preliminary list and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

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A/50/134
S/1995/298
14 April 1995
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Fiftieth session
Items 68 and 70 of the preliminary list*
CONCLUSION OF EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Fiftieth year

Letter dated 13 April 1995 from the Permanent Representative of Kazakhstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Republic of Kazakhstan on the granting of security guarantees by the nuclear Powers which are permanent members of the Security Council to the non-nuclear States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (see annex). I should be grateful if the text of this letter and the annex to it were circulated as an official document of the General Assembly, under items 68 and 70 of the preliminary list and also of the Security Council.

(Signed) A. ARYSTANBEKOVA
Ambassador
Permanent Representative of the
Republic of Kazakhstan to the
United Nations

* A/50/50.

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ANNEX

Statement dated 12 April 1995 by the Ministry of Foreign Affairs of Kazakhstan

The Republic of Kazakhstan welcomes the granting of security guarantees by the nuclear Powers which are permanent members of the Security Council to the non-nuclear States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). This marks a new, positive stage in the development of the world nuclear policy.

Kazakhstan, which is a Party to the Treaty and advocates its indefinite and unconditional extension, has consistently considered the granting of security guarantees to the non-nuclear States necessary as a basic condition for establishing a comprehensive system for the non-proliferation of weapons of mass destruction.

This decision by the nuclear Powers is assuming particular importance on the eve of the forthcoming NPT Review and Extension Conference in New York, during which the subsequent fate of one of the principal international disarmament agreements will be decided. Kazakhstan views the indefinite extension of the Treaty as an essential part of efforts to achieve a more stable and secure world. The speedy conclusion of a comprehensive and complete nuclear-test-ban treaty would be the logical culmination of this process.

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S/1995/293
13 April 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 149 of the preliminary list*
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to register the rejection by the Islamic Republic of Iran, in the strongest possible terms, of the allegation levelled against my Government by the representative of the Zionist regime in document A/50/133-S/1995/282. Such baseless allegations, which abound in today's politically charged climate, are absolutely false and in our opinion diversionary. They intend to portray abroad a perverted picture of the actual reality in the occupied territories by blaming others. The prevailing realities in the occupied territories are but the consequence of the brutal policies of the Zionist regime against the Palestinian people. Contrary to the allegation by the representative of the Zionist regime, I wish to stress that the course of events and developments in the occupied territories have nothing to do with the Islamic Republic of Iran. The unfounded allegations of the Zionist regime against the Islamic Republic of Iran to the contrary stem from the inherent expansionist agenda of that regime and have but serious repercussions for the peace and security of the region.

It will be appreciated if the present letter is circulated as a document of the General Assembly, under item 149 of the preliminary list, and of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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* A/50/50.

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S/1995/294
13 April 1995
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ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fiftieth session
Item 44 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Arab Group for April 1995, I have the honour to enclose herewith a copy of resolution 5459 adopted by the 103rd session of the Council of the League of Arab States on 29 March 1995. It concerns Lebanese hostages and detainees held in Israeli prisons and detention centres.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 44 of the preliminary list, and the Security Council.

(Signed) Ali Mohamed Osman YASSIN
Permanent Representative
of the Republic of the Sudan
to the United Nations
Chairman of the Arab Group

* A/50/50.

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ANNEX

Resolution adopted on 29 March 1995 by the Council of the League of Arab States

The Council of the League,

Having considered the General Secretariat's report and the recommendation of the Council of Political Affairs,

Strongly condemning inhuman Israeli practices in occupied Lebanese territory in southern Lebanon and the western Bekaa, particularly the abduction and arbitrary detention of innocent people and their incarceration without trial in Israeli prisons and detention centres run by their forces,

Taking note with regret of Israel's failure to implement United Nations Security Council resolutions 425 (1978), 426 (1978) and 509 (1982),

Recalling the principles of international law concerning the protection of human rights, particularly the Universal Declaration of Human Rights and the Geneva Conventions of 1949 relative to the Protection of Civilian Persons in Time of War, and The Hague Convention of 1907,

Noting Israel's refusal to allow the International Committee of the Red Cross or other international organizations to visit detainees or investigate humanitarian and health conditions and the circumstances in which some of them have died,

Recalling also the resolutions adopted by the Commission on Human Rights in Geneva,

1. Condemns continued Israeli human rights violations in southern Lebanon and the western Bekaa, exemplified by the abduction and arbitrary detention of civilians, the destruction of their houses, seizure of their property, expulsion from their land and the shelling of villages and peaceful civilian areas;

2. Requests the international community, especially the United Nations, to use the necessary measures to force Israel to desist from such violations and to implement Security Council resolutions 425 (1978), 426 (1978) and 509 (1982), which demand Israel's complete, immediate and unconditional withdrawal from all Lebanese territory, and respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Requests also that the international community should take all possible measures against Israel in order to secure the release of all Lebanese prisoners and abducted persons held in Israeli prisons or detention centres run by their forces in contravention of the provisions of international law and the Geneva Conventions of 1949 and The Hague Convention of 1907;

4. Urges Member States to make every effort through international organizations to make arrangements with the Government of Israel, the State

which is occupying territory in southern Lebanon, to enable the International Committee of the Red Cross and the other humanitarian organizations to visit those detained in Khiam and Marjayoun and ascertain the conditions of the detainees, to provide them with humanitarian and health care and to allow their relatives to visit them regularly;

5. Also requests that the investigations provided for by international conventions should be carried out into the deaths of Lebanese detainees held in Israeli prisons and detention centres, and that the proper compensation should be paid in accordance with the applicable rules of international law;

6. Decides to remain seized of the matter until the Lebanese territory is liberated and the detainees released.

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GENERAL ASSEMBLY
Fiftieth session
Items 81 and 86 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING OPERATIONS
IN ALL THEIR ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 12 April 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

At the request of my Government, I have the honour to transmit herewith the text of a memorandum of the Ministry of Foreign Affairs of Ukraine on the question of implementation by the United Nations of activities for the maintenance of international peace and security (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under items 81 and 86 of the preliminary list, and of the Security Council.

(Signed) Anatoli M. ZLENKO
Ambassador
Permanent Representative of Ukraine
to the United Nations

* A/50/50.

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Annex

[Original: Russian]

Memorandum of the Ministry of Foreign Affairs of Ukraine on the question of the implementation by the United Nations of activities for the maintenance of international peace and security

1. Ukraine, as one of the founding Members of the United Nations, fully supports the activities undertaken by the United Nations, in accordance with the Charter of the United Nations, for the maintenance of international peace and security and pays great attention to the enhancement of the arrangements and means for deterring potential aggressors and to the procedures for ensuring a rapid and effective response to acts of aggression or violence and threats to international peace and security and for the settlement of regional conflicts.

2. Ukraine considers the peace-keeping operations carried out under the auspices of the United Nations to be one of the key elements of the Organization's peacemaking activities, supplementing the process for the pacific settlement of disputes under Chapter VI of the Charter of the United Nations.

3. Ukraine believes that the activities of the United Nations with regard to crisis and conflict prevention and resolution will continue to be carried out on the basis of the resolutions of the Security Council, in strict compliance with the existing criteria (impartiality, non-intrusive and non-interventionist character, a clearly defined mandate based on the agreement, where possible, of all the parties concerned, and carried out, in principle, at the request of Member States). In "regional approaches" to peace-keeping operations, United Nations activities must be based on the provisions of Chapter VIII of the Charter and must comply strictly with the principle whereby no State may arrogate to itself the right to claim to be the "main guarantor" of peace and security in the region.

4. The globalization of United Nations activities for the maintenance of international peace and security which has been observed in recent years, the multifunctional character of current peace-keeping operations and the participation of United Nations forces in the settlement of internal conflicts make it necessary for the international community to adopt new approaches to the planning, structure and control of such activities.

The implementation of the new generation of peace-keeping operations, the separate components of which are developed and institutionalized in the mandate even after the operation has been launched, not only opens up certain prospects, but also contains within it a number of obvious problems.

The most complex of these problems is how to keep the development of operations within the rigid framework of the non-use of force by peacemaking contingents against the parties to a conflict, except when it is essential for self-defence.

It is for this reason that Ukraine fully shares the point of view of those Member States which consider that the approaches of the United Nations and the Secretary-General to traditional peace-keeping operations and to operations which bring into play the provisions of Chapter VII of the Charter, in other words coercive measures, must be fundamentally different. Attempts to modify the legal basis of operations (as occurred, for instance, in Somalia) are most likely to lead to the disruption of the entire operation, since they give rise to an obvious disparity between the new functions and the goals previously agreed upon.

In this connection, Ukraine believes that, in cases where it is necessary to change the legal basis of an operation in the context of the Charter of the United Nations, it is essential not only to change the mandate of that peace-keeping operation but also to modify the entire operation (its structure, resource base, plan of deployment and evacuation), in other words to launch a new operation.

5. In these conditions, the role of the troop-contributing countries is growing significantly. Timely consultations between them help to avoid misunderstandings in relations between the commanders of national contingents and the commanders of sectors and the headquarters of the operation, and prevent any negative political consequences which might arise as a result of the emergence of new functions.

In this connection, Ukraine believes that the cooperation of countries which might potentially contribute troops to take part in a proposed peace-keeping operation should be enlisted even during the preparatory phase of the operation.

6. The practice of deploying peace-keeping operations in various regions demonstrates the need for careful study of the question of the criteria for the representation of national contingents in peace-keeping operations. Ukraine believes that these criteria should take into account, inter alia, historical, political and ethno-geographical factors and the possible reaction of the local population and of the political forces in conflict to the use of the troops of any given country in an operation in the territory of their State.

7. To date there is no comprehensive permanent system of peace-keeping operations, only a continuing series of ad hoc operations.

In this connection, Ukraine supports proposals that consideration should be given to generally acceptable ways and means of elaborating a declaration on United Nations peace-keeping operations, which would cover the basic organizational and practical aspects and would contain recommendations concerning ways of enhancing the effectiveness of such operations.

To this end, in particular, it would be advisable to study the question of establishing an expert group, under the Special Committee on Peace-keeping Operations, with the participation of leading experts in the field of peace-keeping, representatives of the main troop-contributing countries and of other interested Member States, to make use of the positive experience which has been

gained in this field by the Ad Hoc Group on Peace-keeping of the North Atlantic Cooperation Council.

8. The problem of enhancing the operational efficiency and the effectiveness of the management of peace-keeping operations by the United Nations is an important one. In this connection, Ukraine welcomes the measures taken to streamline the structure of the Department of Peace-keeping Operations and believes that the strengthening of the staff of the Department will enhance the capacity of the Organization in matters relating to the planning, command and management of peace-keeping operations.

At the same time, many practical problems relating to the command and management of peace-keeping operations could be resolved through the revitalization of the provisions of the Charter of the United Nations, in the first place, of Article 47 of the Charter, which defines the role and functions of the Military Staff Committee. According to paragraph 4 of that Article, "the Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees".

Ukraine believes it would be expedient to consider the question of the expansion of that practice, and to study the possibility of including in those regional subcommittees representatives of the troop-contributing countries participating in a peace-keeping mission deployed in that region.

9. One of the main aspects of a special nature continues to be the problem of the safety and security of peace-keeping personnel. Ukraine was one of the initiators of the drafting of the Convention on the Safety of United Nations and Associated Personnel, which dealt with questions relating to the status and safety of peace-keeping personnel.

Ukraine believes that the security of personnel must be an integral part of the planning of any peace-keeping operation and that all appropriate measures should be taken by the United Nations and Member States to ensure their security.

10. The continuing use of snipers by the parties to a conflict against the personnel of United Nations peace-keeping forces is a matter of serious concern. It is essential to give urgent consideration to the question of the legal and moral responsibility of the parties to a conflict for the use of snipers against United Nations peacemakers.

We believe that the actions of snipers of the parties to a conflict against United Nations personnel could serve as a legitimate basis for the use of force by United Nations peace-keeping contingents in response.

11. The question of compensation for military personnel who have been disabled and for members of the families of military personnel who have died while serving in United Nations peace-keeping forces is also important.

The inadequacy of current United Nations arrangements for the payment of compensation to the families of peace-keeping personnel who have been killed or

wounded requires attention. So far, no unified scale has been formulated for the payment of compensation by the United Nations Secretariat. Reports on the death of peace-keeping personnel (Board of Inquiry reports), without which the United Nations Secretariat does not compensate Governments for the sums paid to the families of peace-keepers who have been killed or to those who have been wounded, are sent by the commander from the site of the peace-keeping operation to the Headquarters in New York only with considerable delay.

12. The problem of the training of qualified personnel for peace-keeping operations requires further study.

Ukraine welcomes the efforts made by the Secretary-General to develop a training manual, including a curriculum module and a programme of correspondence instruction, which would enable troop-contributing countries to train peace-keeping personnel in a unified and cost-effective manner, in accordance with agreed standards and needs.

Ukraine also supports the idea of training national instructors for subsequent use in the training of peace-keeping personnel, in addition to national peace-keeping training programmes, and in the implementation of measures to strengthen leadership cadres for peace-keeping operations.

We believe it is important to establish centres for the training of peace-keeping personnel on both a national and a regional basis.

With a view to enhancing the effectiveness of the coordination of the training of peace-keeping staff, it is essential that a personnel training coordinator in the Department of Peace-keeping Operations should serve as a focal point for coordination between the United Nations and national and international peace-keeping training centres.

13. The effectiveness of the strengthening of United Nations peace-keeping potential depends to a significant extent on the existence of adequate financial resources for the carrying out of peace-keeping operations. Ukraine fully agrees that the financing of peace-keeping operations is the collective obligation of all Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations.

At the same time, we believe that the assessment of contributions to peace-keeping operations should be fairer and take into account the real capacity to pay of specific Member States, and should be more balanced, having greater regard for the needs of the civilian and humanitarian, as well as the political and military, goals of peace-keeping operations. Further study is needed of the question of alternative sources of financing for peace-keeping operations which would be acceptable to the Secretary-General of the United Nations.

14. In this analysis of the nature and evolution of current peace-keeping operations, the foregoing observations are not exhaustive. The delegation of Ukraine intends to take an active part in the drafting by the Special Committee of recommendations on the theory and practice of peace-keeping activities with a view to enhancing their political, military, moral, humanitarian and material effectiveness.

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GENERAL ASSEMBLY
Fiftieth session
Item 114 of the preliminary list*
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fiftieth year

Letter dated 13 April 1995 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a Declaration on Violation of Human Rights and Freedoms of the Bosniac-Muslims in Sandžak and Other Parts of Serbia and Montenegro, issued by the Parliament of the Republic of Bosnia and Herzegovina on 29 March 1995.

May I ask for your kind assistance in distributing the present letter as a document of the General Assembly, under item 114 of the preliminary list, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

* A/50/50.

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ANNEX

Declaration on Violation of Human Rights and Freedoms of the Bosniac-Moslems in Sandžak and Other Parts of Serbia and Montenegro adopted on 29 March 1995 by the Parliament of Bosnia and Herzegovina

Under article 304, paragraph 1 (24), pursuant to article 308, paragraphs 2 and 3, of the constitution of the Republic of Bosnia and Herzegovina and article 151 of the Operating Procedure of the Parliament of the Republic of Bosnia and Herzegovina, at the joint session held on 29 March 1995, considering the position of Bosniac-Moslems in Serbia and Montenegro, and especially Sandžak, the Parliament of the Republic of Bosnia and Herzegovina adopted the following

DECLARATION ON VIOLATION OF HUMAN RIGHTS AND FREEDOMS OF THE BOSNIAC-MOSLEMS IN SANDŽAK AND OTHER PARTS OF SERBIA AND MONTENEGRO

I

Deeply concerned, the Parliament of the Republic of Bosnia and Herzegovina points out that, along with the aggression of Serbia and Montenegro against the Republic of Bosnia and Herzegovina, the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro have been exposed to torture and violation. Brutal violation of human rights and freedoms occurring within Serbia and Montenegro have escalated into genocide in respect of the Bosniac-Moslems in Sandžak.

Systematic violation of human rights and freedoms: mass arrests, abductions and murders, pent-up political trials, forcible mobilizations, evictions and ethnic cleansing, plunder, disrespect of religious freedoms, not acknowledging of national and religious institutions of the Bosniac-Moslems.

The extremely serious situation in Sandžak makes the peace processes in the territory of the former Yugoslavia more difficult, and represents a threat to international peace and security. Such activities of Serbia and Montenegro violate the Charter of the United Nations and other acts of the United Nations Organization and the Organization for Security and Cooperation in Europe on human rights and freedoms.

The Parliament of the Republic of Bosnia and Herzegovina requests the United Nations Security Council, the Council of Europe, the Organization of Security and Cooperation in Europe, the European Union, the Organization of the Islamic Conference and the International Conference on the Former Yugoslavia immediately to undertake decisive action to protect the Bosniac-Moslems in Serbia and Montenegro.

The Parliament of the Republic of Bosnia and Herzegovina demands that the problem of Sandžak and the problem of the Bosniacs in other parts of Serbia and

Montenegro be immediately and unconditionally placed on the agenda of the Geneva International Conference on the Former Yugoslavia and the parties be invited to continue negotiations.

In all negotiations concerning the status of the Serbs in the Republic of Bosnia and Herzegovina and the status of the Bosniacs in Sandžak and other parts of Serbia and Montenegro, the stand should be taken by the Parliament of Bosnia and Herzegovina that special relationships between the Bosnian Serbs and Serbia are possible only under the condition that the same relationships will be established between the Bosniacs in Bosnia and the Bosniacs in Sandžak.

The Parliament of the Republic of Bosnia and Herzegovina appeals to the Parliaments and the Governments of the United States of America, the Russian Federation, the Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the Republic of France to prevent the genocide against the Bosniac-Moslems in Sandžak.

The Parliament of the Republic of Bosnia and Herzegovina suggests to the Parliaments of the Republic of Hungary, the Republic of Croatia, the Republic of Albania and other countries, parts of the population and national minorities of which live in Serbia and Montenegro, to undertake mutual actions with regard to protection of their rights and freedoms.

II

The Parliament of the Republic of Bosnia and Herzegovina emphasizes that it will continue to act in the direction of mutual recognition of the former Yugoslav republics within their international borders, for it is an essential prerequisite for the re-establishment of peace in the Balkans.

The Parliament of the Republic of Bosnia and Herzegovina will intercede in favour of the autonomy of Sandžak, which will have the indispensable guarantees, in accordance with relevant acts of international law. This is the principal issue for solving the crisis in the areas of the former Yugoslavia, for nobody is authorized to deprive other peoples of such rights as it asks for the members of its people.

The Republic of Bosnia and Herzegovina, fully respecting international law, will extend every support and assistance to the Bosniac-Moslems who fled Serbia and Montenegro and went to other countries, and will insist with the international community on creating conditions for their repatriation.

The Parliament demands of the relevant agencies of the international community that Bosniac-Moslems who fled Sandžak and other parts of Serbia and Montenegro, regardless of their place of residence, have the same treatment and the same rights as the refugees from other parts of the former Yugoslavia.

III

The mass media, scientific, educational, cultural and other institutions of the Republic of Bosnia and Herzegovina will offer all necessary support in the struggle for protection of human rights and freedoms and preservation of the

national identity of the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro.

The Parliament will continue to monitor the position of the Bosniac-Moslems in Sandžak and other parts of Serbia and Montenegro and will take appropriate measures in conformity with the liabilities that the Republic of Bosnia and Herzegovina has regarding the members of the Bosnian people living in diaspora.

This Declaration is to be forwarded to the international organizations and to the Parliaments of the States referred to in section I of the Declaration.

This Declaration is to be published in an Official Bulletin of the Republic of Bosnia and Herzegovina.

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HUMAN RIGHTS QUESTIONS

Letter dated 12 April 1995 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the text of a statement issued on 26 March 1995 by the Foreign Ministry of Estonia regarding the rights of aliens in Estonia (see annex).

I should be grateful if you would have the text of the present letter and the attached statement circulated as an official document of the General Assembly under item 114 of the preliminary list.

(Signed) Trivimi VELLISTE
Ambassador
Permanent Representative

* A/50/50.

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ANNEX

Statement issued on 26 March 1995 by the Foreign Ministry of Estonia

On 25 March 1995, the Russian Foreign Ministry issued a statement protesting Estonia's expulsion the previous day of Mr. Pjotr Rozhok, an ultranationalist and anti-Semitic representative of Vladimir Zhirinovsky's Russian Liberal Democratic Party (A/50/131, annex).

The Russian Foreign Ministry statement alleged, among other things, that Mr. Rozhok's expulsion was a "gross violation of the legal rights of Russian citizens living in Estonia" and that Estonian authorities were interested in worsening relations with Russia. The Estonian Foreign Ministry calls attention to the fact that Mr. Rozhok was not expelled from Estonia because he is Russian but because he actively worked against Estonia's constitutional order as well as incited intolerance and ethnic hatred. Expulsion for these reasons is a completely normal procedure that occurs when citizens of other countries do not respect the laws of the country in which they reside. Estonia has been compelled to order citizens of other countries as well to leave Estonia, therefore Mr. Rozhok's expulsion does not constitute a precedent of any kind.

With regard to Mr. Rozhok's anti-Jewish statements, Estonia calls on Russia to work together to combat anti-Semitism. The Ministry welcomes the remarks of Russian Foreign Minister Andrei Kozyrev on 20 March in Paris at the Conference on European Stability, where Mr. Kozyrev said that "nothing is more repugnant than anti-Semitism". The Ministry also recalls Russian President Boris Yeltsin's decree of 23 March ordering a clampdown against the threat of fascism, and political extremism. Both of these actions are parallel with Estonia's own efforts against anti-Semitism.

The Ministry strongly refutes claims that Estonia is seeking to harm bilateral relations with Russia. Since the withdrawal of Russian troops from Estonia on 31 August 1994, Estonia has consciously embarked upon a policy of positive engagement with Russia. Estonia recognizes that both Russia and Estonia face a historic opportunity to improve relations, but notes that such an effort must be mutual, including jointly working against the kind of extremist thinking that Mr. Rozhok represents.

The Ministry draws attention to the fact that Mr. Rozhok has a guaranteed right to contest his expulsion through Estonia's Administrative Court while residing in Russia. The Ministry also notes that Mr. Rozhok was ordered to leave Estonia only after repeated warnings during the last several years to cease his activities. When he refused to do so, Mr. Rozhok was expelled on 24 March under police guard and with the presence of Russian embassy consular personnel, and reached Moscow yesterday.